

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA


IN RE: John P. & Michele C. McGillen : Chapter 13
:
Debtor : Bankruptcy No. 13-14022-JKF

MOTION OF PNC BANK, NATIONAL ASSOCIATION
FOR ORDER DIRECTING PAYMENT OF FUNDS IN COURT REGISTRY

PNC Bank, National Association ("the Movant"), requests that the court enter an order directing the payment of funds held in the court registry, on the following grounds.

1. Movant was a creditor of the Debtor in the above bankruptcy case.
2. Movant was due to receive and the Chapter 13 Trustee did, in fact, make a distribution to the Movant from the estate in the amount of \$6,008.98.
3. Movant was not located and the funds of the Movant were paid into the court pursuant to 11 U.S.C. §347.
4. Pursuant to 11 U.S.C. §347 and chapter 129 of title 28 of the U.S. Code, the Movant requests that the Court issue an Order directing payment to the Movant. Unclaimed funds received 05/09/2016 Receipt #No in the amount of \$6,008.98.

December 27, 2016
Date



David L. Zive, Esquire
PA ID#56209
PNC Bank, National Association
1600 Market Street, 28th Floor
Philadelphia, PA 19103

215-585-6351
215-585-5006 (Fax)

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CERTIFICATE OF SERVICE

I, Robert H. Holber hereby certify that I served a copy of the Motion of PNC Bank, National Association by its attorney-in-fact, Brian J Dilks of Dilks & Knopik, LLC., for Order Directing Payment of Funds In Court Registry and Notice of Motion, Response Deadline and Hearing Date by first class mail, postage prepaid, on the date below on the following:

Frederic J. Baker, Senior Assistant
Office of the U.S. Trustee
833 Chestnut Street
Suite 500
Philadelphia, PA 19107


Zane David Memeger
U.S. Attorney
615 Chestnut Street - Ste. 1250
Philadelphia, PA 19106

(CASE TRUSTEE)
WILLIAM C. MILLER
1234 Market Street, Ste 1813
Philadelphia, PA 19107

(DEBTOR)
John P. & Michele C. McGillen
4033 Lawndale Street
Philadelphia, PA 19124

(DEBTORS ATTORNEY)
MICHAEL D. SAYLES
427 West Cheltenham Avenue, Suite #2
Elkins Park, PA 19027-3201

December 27, 2016
Date



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NOTICE OF MOTION, RESPONSE DEADLINE
AND HEARING DATE

PNC Bank, National Association ("the Movant"), has filed a Motion for Order Directing Payment of Funds In Court Registry with the court requesting that the court order that certain funds held in the court registry be paid to Movant attorney-in fact.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney.)

1. If you do not want the court to grant the relief sought in the motion or if you want the court to consider your views on the motion, then on or before _____ you or your attorney must do all of the following:

- (a) File an answer explaining your position at:

Office of the Clerk of Court
United States Bankruptcy Court
900 Market Street, Suite 400
Philadelphia, PA 19107

If you mail your answer to the bankruptcy clerk's office for filing, you must mail it early enough so that it will be received on or before the date stated above; and


- (b) Mail a copy to the Movant's attorney:

David L. Zive, Esquire
PA ID#56209
PNC Bank, National Association
1600 Market Street, 28th Floor
Philadelphia, PA 19103
215-585-6351
215-585-5006 (Fax)

2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the court may enter an order granting the relief requested in the motion.

3. A hearing on the motion is scheduled to be held before the Honorable Jean K. FitzSimon
On _____ at _____ in Courtroom 3, Courtroom 3, United States
Bankruptcy Court, 900 Market Street, Philadelphia, PA 19106.
4. If a copy of the motion is not enclosed, a copy of the motion will be provided to you
if you request a copy from the attorney named in paragraph 1(b).
5. You may contact the Bankruptcy Clerk's office at 215-408-2800 to find out whether the
hearing has been canceled because no one filed an answer.

Date



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:
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ORDER

AND NOW, this ____ day of _____, 20 __, upon consideration of the Motion of PNC Bank, National Association (“the Movant”), for Order Directing Payment of Funds In Court Registry, and the Movant having served the United States Attorney as required by 28 U.S. C. §2041 et seq. and the Office of the U.S. Trustee and the case Trustee, and no objection having been made, it is hereby ORDERED that:

1. The Motion is GRANTED.
2. Funds held in the registry of the court or paid in pursuant to II U.S.C. §347 for the benefit of the Movant in the amount of \$6,008.98 shall be paid to PNC Bank, National Association and sent to 1600 Market Street, 28th Floor, Attn: David L. Zive, Philadelphia, PA 19103.

Jean K. FitzSimon
BANKRUPTCY JUDGE